



PATENT  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Masakazu OGASAWARA et al. )

Application No.: 09/891,471 )

Filed: June 27, 2001 )

For: PICKUP DEVICE FOR RECORDING )  
OR REPRODUCING INFORMATION )  
TO AND FROM A MULTI-LAYERED )  
RECORDING MEDIUM HAVING A )  
PHOTODETECTOR WITH A )  
NORMALIZED DETECTOR SIZE )  
(As Amended) )

Confirmation No.: 1389

Group Art Unit: 2653

Examiner: A. Psitos

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Technology Center 2600

Commissioner for Patents  
U.S. Patent and Trademark Office  
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Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Each item of information contained in this Information Disclosure Statement (IDS) was cited in an Office Action issued by the Chinese Patent Office on June 27, 2003 in a counterpart foreign application. A copy of the Chinese Office Action and an English translation is enclosed for the Examiner's consideration, together with the listed documents.

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CN 1193161A is listed on the accompany PTO Form 1449 and is in a language other than English.. The relevance of this document can be understood from the attached copy of

- ✓ corresponding U.S. Patent No. 6,041,031, corresponding Japanese Kokai No. 10-188320, the
- ✓ attached English abstract of Japanese Kokai No. 10-188320, and from its citation in the attached Chinese Office Action and the attached English translation of the Chinese Office Action.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any or all of the listed documents is material or constitute "Prior Art." If it should be determined that any or all of the listed documents does not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

The Direction is authorized to charge Deposit Account No. 50-0310 in the amount of \$180.00 for submission of an Information Disclosure Statement fee and for any other fee due in connection with the filing of this Statement.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: August 7, 2003

By: 

Victoria D. Hao

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